

AMENDMENTS TO LB 948

Introduced by Judiciary

1           1. Strike the original sections and insert the following  
2 new sections:

3           Section 1. Section 28-1310, Reissue Revised Statutes of  
4 Nebraska, is amended to read:

5           28-1310 (1) A person commits the offense of intimidation  
6 by telephone ~~call~~ or electronic communication device if, with  
7 intent to terrify, intimidate, threaten, harass, annoy, or offend,  
8 the person:

9           (a) ~~Telephones~~ Contacts another by telephone or  
10 electronic communication device anonymously, whether or not  
11 conversation ensues, and disturbs the peace, quiet, and right of  
12 privacy of any person at the place where the ~~calls~~ communications  
13 are received; or

14           (b) ~~Telephones~~ Contacts another by telephone or  
15 electronic communication device and uses indecent, lewd,  
16 lascivious, or obscene language or suggests any indecent, lewd, or  
17 lascivious act; or

18           (c) ~~Telephones~~ Contacts another by telephone or  
19 electronic communication device and threatens to inflict injury to  
20 any person or to the property of any person; or

21           (d) Intentionally fails to disengage ~~the~~ a telephonic  
22 connection; or

23           (e) ~~Telephones~~ Contacts another by telephone or

1 electronic communication device and attempts to extort money or  
2 other thing of value from any person.

3 (2) The use of indecent, lewd, or obscene language or  
4 the making of a threat or lewd suggestion shall be prima facie  
5 evidence of intent to terrify, intimidate, threaten, harass, annoy,  
6 or offend.

7 (3) The offense shall be deemed to have been committed  
8 either at the place where ~~the call~~ such communication was made or  
9 where it was received.

10 (4) For purposes of this section, electronic  
11 communication device means any device which, in its ordinary and  
12 intended use, transmits by electronic means writings, sounds,  
13 visual images, or data of any nature to another electronic  
14 communication device.

15 ~~(4)~~ (5) Intimidation by telephone call or electronic  
16 communication device is a Class III ~~II~~ misdemeanor.

17 Sec. 2. Original section 28-1310, Reissue Revised  
18 Statutes of Nebraska, is repealed.